

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

UNITED STATES OF AMERICA

CASE NO. 6:23-CR-00112-01

VERSUS

JUDGE DAVID C. JOSEPH

DWAYNE BATISTE (01)

MAGISTRATE JUDGE DAVID J. AYO

**MINUTES OF COURT:
SENTENCING**

Date:	Jan. 17, 2024	Presiding:	Judge David C. Joseph
Court Opened:	2:39 PM	Courtroom Deputy:	Lisa LaCombe
Court Adjourned:	2:56 PM	Court Reporter:	Cathleen Marquardt
Statistical Time:	17 Minutes	Courtroom:	Courtroom 1

APPEARANCES

LaDonte A Murphy (AUSA)	For	United States of America
Cristie Gautreaux Gibbens (AFPD)	For	Dwayne Batiste (01), Defendant
Dwayne Batiste (01)		Defendant (In Custody)

PROCEEDINGS

Case called for Sentencing.
Defendant sworn and under oath.

SENTENCING:

Count 1: Defendant is committed to the Bureau of Prisons for **144 months**, with credit for time served in Federal custody, to be determined by the Bureau of Prisons. Upon release from imprisonment, Defendant shall be on supervised release for **5 years**, with standard, mandatory and the following special conditions:

- a. Defendant shall participate in an outpatient substance abuse treatment program under the guidance of the U.S. Probation Office and shall follow the rules and regulations of that program. Defendant shall submit to drug testing as directed by the treatment facility and Probation Officer during the term of supervision. Defendant shall contribute to the cost of the treatment program in accordance with his ability to pay. Defendant shall also refrain from alcohol use while in a substance abuse treatment program.

Defendant ordered to pay a \$100.00 special assessment, payable immediately to the U.S. Clerk of Court.

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No fine is ordered.

Defendant advised of his right to appeal. Any appeal must be filed within fourteen (14) days of the Court's judgment.

Defendant remanded to the custody of the U S Marshal for service of sentence.

MOTIONS:

ORAL Motion to **DISMISS** Count 2 of the Indictment by the USA.
The motion was **GRANTED** by the Court.